

REMARKS

This Amendment is being filed with a Request for Continued Examination, following a final rejection mailed on September 4, 2003, and a subsequent Advisory Action dated December 3, 2003.

Claims 1-28 remain pending and under consideration in the above-referenced application.

Reconsideration of the above-referenced application is respectfully requested.

Rejections Under 35 U.S.C. § 103(a)

In the Advisory Action, the previously asserted 35 U.S.C. § 103(a) rejections of claims 1-28 were maintained.

The standard for a rejection under 35 U.S.C. § 103(a) is set forth in M.P.E.P. § 706.02(j)m, which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Each of the 35 U.S.C. § 103(a) rejections is based, at least in part, upon the teachings of U.S. Patent 3,801,365 to Hrzek (hereinafter "Hrzek"). More specifically, each of these rejections is based on the premise that the reaction taught in Hrzek actually constitutes "depositing" a metal silicide. The reaction that is taught in Hrzek includes reacting vaporized molybdenum pentachloride, in a low-hydrogen environment, with exposed silicon regions of a substrate. When conducted under the conditions disclosed in Hrzek, molybdenum silicide is purportedly selectively formed on the exposed silicon regions.

To further clarify the distinctions between the subject matter for which protection is sought and that taught in Hrzek, independent claims 1 and 20 of the above-referenced application have been amended. In revising independent claims 1 and 20, the scopes of these claims have actually been broadened, as potentially limiting recitations have been removed therefrom.

Independent claim 1 has been amended to recite that a chemical reaction is caused “adjacent to a surface of at least one exposed, doped area of [a] semiconductor device structure to selectively deposit metal silicide thereon without reacting material of the at least one exposed, doped area . . .”

Independent claim 20, as amended and presented herein, is drawn to a method which includes “causing a chemical reaction adjacent to an exposed active device region of [a] semiconductor device structure to selectively deposit a contact material thereon without reacting a material of the active device region . . .”

Again, the teachings of Hrzek are limited to a reaction which consumes silicon of exposed regions of a silicon substrate. Thus, Hrzek, which is relied upon for its teaching of a selective metal silicide or contact material deposition, does not teach or suggest the “without reacting a material” element of amended independent claims 1 and 20.

As such, it is respectfully submitted that independent claims 1 and 20 are both allowable under 35 U.S.C. § 103(a) over any combination of references which relies upon the teachings of Hrzek, as are claims 2-19, which depend from claim 1, and claims 21-28, which depend from claim 20.

Therefore, withdrawal of the 35 U.S.C. § 103(a) rejections of claims 1-28 is respectfully requested.

CONCLUSION

It is respectfully submitted that each of claims 1-28 is allowable. An early notice of the allowability of each of these claims is respectfully solicited, as is an indication that the above-referenced application has been passed for issuance. If any issues preventing allowance of the above-referenced application remain which might be resolved by way of a telephone conference, the Office is kindly invited to contact the undersigned attorney.

Respectfully submitted,



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